

**INSTRUCTIONS FOR PREPARING THE
"REQUEST FOR SHPO REVIEW OF FCC UNDERTAKING"**
[Form available online at http://www.ohp.parks.ca.gov/default.asp?page_id=22327]

36 CFR Part 800 regulations require the FCC and/or its designees to consult with the State Historic Preservation Officer (SHPO) prior to the siting of cell towers and wireless communication facilities. The "REQUEST FOR SHPO REVIEW OF FCC UNDERTAKING" process and Request Form have been developed to facilitate SHPO review of these undertakings within the State of California, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

The Request Form outlines the steps that FCC designees (Applicants) should follow to assist the FCC in complying with 36 CFR Part 800, and specifies the information and documentation that applicants should provide in order to facilitate the required SHPO review. These instructions should be used in conjunction with California State Historic Preservation Officer's *Guidelines for FCC's Licensees and Applicants- Section 106 Submittals - Technical Assistance Bulletin #15 (Guidelines)*. The *Guidelines* and *Request Form* are available online at www.ohp.parks.ca.gov.

NOTE: SHPO review may take 90 days or more. 36 CFR 800 outlines a multiple-step process designed to be executed sequentially. The SHPO is allowed thirty (30) days from receipt to comment upon each FCC finding or determination and related documentation, unless the regulation itself specifies otherwise. Should the SHPO request additional information, the clock stops, and starts again with receipt of the new information. When an applicant initiates a SHPO consultation, the applicant is actually asking for multiple reviews and concurrence with the applicant's recommended determinations and findings. See "*Guidelines*" for further information.

SHPO staff will respond to every request for review of a complete Section 106 submittal. If you have not received a response within 30 days of your submittal, please contact the Project Review Unit at 916-653-6624 to make sure the submittal was in fact received. **Do not assume SHPO concurrence simply because 30 days have elapsed since the submittal was mailed.**

GENERAL INSTRUCTIONS:

- Submit complete packets only. SHPO staff will not review incomplete submittals. A complete packet will include one copy of **all** the supporting documents specified on the Request Form.
- Do not combine documents for multiple projects. One project--one submittal packet.
- Compile the supporting documents in the order they are listed on the Request Form. The Request Form should be on top. No additional cover letter is needed. Do not bind the packet.
- Each element I-X identifies either information or documents that are needed for SHPO review.
- Upon receipt of a submission, SHPO assigns a unique project tracking number. Refer to the FCC number in the gray box in future correspondence regarding this project.

PROJECT IDENTIFIER – Provide the name and/or number used by the carrier to identify the proposed project.

PROJECT ADDRESS – Provide the street address of the physical location of the undertaking. Include the county. Where no street address is available, provide UTM coordinates or other locational data.

CONTACT INFORMATION

- **Preparer/Consultant** – Provide contact information for the person to whom consultation correspondence will be sent.
- **Carrier/Tower Builder** – Provide contact information for the carrier/tower builder who is responsible for the construction of the site.

COLLOCATION – If the proposed project is a collocation on an existing building or structure, check applicable boxes. If no boxes are checked, then in accordance with the *Nationwide Programmatic Agreement for the Collocation of Wireless Antennas*, no SHPO consultation is necessary. Retain the form as evidence of FCC compliance with Section 106 for the specific undertaking.

I. PROJECT DESCRIPTION – Indicate whether the project is proposed, already existing, or is a co-location. If already existing, provide date of construction.

Note: 36 CFR § 800.1(c) requires the FCC to initiate Section 106 consultation early in the undertaking's planning so that the SHPO has the opportunity to comment while there is still adequate time to consider a broad range of alternatives for the undertaking. When an applicant begins or completes construction of an undertaking before the consultation process set forth in 36 CFR Part 800 has been satisfactorily concluded, the SHPO's opportunity to comment on the proposed undertaking is foreclosed. As defined in 36 CFR § 800.9(b), a foreclosure is a serious breach of the Part 800 regulation.

- **Type of Facility** – Identify the type of facility that will be constructed, i.e., a utility tower, lattice tower, monopole, monopine, monopalm, street light replacement, etc. Identify the type, size and number of antennas; the sizes and numbers of equipment cabinets or shelters or other structures; the height and type of fencing that will be installed. Indicate if any roads or parking spaces be built as part of the installation.
- **Project Area**– Provide dimensions of the project area including any trenching or access roads.
- **Extent of Ground Disturbance or Building Modification** – Briefly describe and provide dimensions (length, width, depth) where ground disturbance associated with placement of equipment cabinets, trenching for utilities, fence posts, access roads, etc. will occur. Provide details of any proposed physical or visual modifications to a National Register-eligible or listed building that will be necessary to mount antennas and make utility connections.

II. EXISTING SITE CONDITIONS – Check the box that best describes the site.

III. AREA OF POTENTIAL EFFECTS [Sec. 800.4(a)(1)] – Explain how the area of potential effects (APE) was determined. The APE should include the footprint of the proposed facility and all areas involving ground disturbance (e.g., improvement or construction of access roads, equipment shelters, utility corridors, and fences). The APE should also include any areas where there might be a visual impact to a historically significant building, structure, site, district or cultural landscape. Contemporary land use, variations in topography or vegetation as well as facility height and design will influence the prospects of visual impacts of a proposed facility on historic properties.

IV. MAPS AND DRAWINGS – Each of the listed maps and drawings serves a different purpose in the review process. All maps and drawings are necessary.

- **USGS Quad Map** – Show tower location, the area of the record search, and the location of any identified historic properties.
- **Location/Vicinity/Street Map** – Provide a map that illustrates the tower location and the location of any archeological sites or historic properties within the APE.
- **Site Plan** – Show location of lease area, tower, where trenching or other ground disturbance will occur for tower and/or utilities, and access road in relation to nearby buildings, roads, and other environmental features.
- **Construction Drawings**

V. PHOTOS – Provide quality photographs or digital printouts, preferably in color. Label each photo with the name and address of the site. Identify where the photo was taken and the orientation (direction) of the photo. Provide photos *of the site* from all four directions, as well as *from the site* in all four directions. Photos of any historic resources within the APE are necessary, as are photo-simulations of the installation when an undertaking might affect a historic property.

VI. EFFORTS TO IDENTIFY HISTORIC PROPERTIES WITHIN THE APE [Sec. 800.4] – The checkboxes in this item represent the minimum steps that should be taken to identify historic properties. Attach supporting documentation in the order listed.

- **Information Center Records Search** – Provide the results of a CHRIS record search for the project. If the Information Center (IC) identifies recorded properties within the search radius,

provide maps with these properties identified. If the area has been previously surveyed, provide the results of previous surveys.

- **Other Records Search** – Provide the results of any other records search.
- **Historic Properties Survey Report** – Conduct a reconnaissance level survey, including the visual inspection of the exteriors of properties within the APE, to determine whether the undertaking may affect properties listed in or potentially eligible for the NRHP individually or as contributors to the historic character of a larger area or district eligible for or listed in the NRHP.
- **Archeological Survey Report** – If the CHRIS record search or the reconnaissance survey indicated a moderate or high sensitivity for archeological resources within the search area, then an archeological survey should be conducted by a person meeting the Secretary of the Interior's Professional Qualification Standards for Archeology. Under certain conditions, sub-surface investigation may be necessary.
- **Consultation with Native Americans** – Provide a copy of the letter that was sent to Native Americans along with a list of the individuals or groups the letter was sent to. (It is not necessary to provide a copy of each individual form letter.) Also, provide copies of any responses that were received and provide an explanation of how these comments were taken into consideration during project planning.
- **Consultation with other Interested Parties** – Provide a copy of the letter that was sent to interested persons along with a list of the people the letter was sent to. Also provide any responses that were received along with an explanation of how these comments were taken into consideration.

VII. NATIONAL REGISTER EVALUATION OF PROPERTIES WITHIN THE APE [Sec. 800.4(c)]

- **Building Evaluations using National Register Criteria** – All buildings and structures older than 45 years of age within the APE should be evaluated for eligibility for the National Register of Historic Places (NRHP). Because buildings may be eligible for the NRHP for their association with important events or people, the significance of a building can not be determined exclusively through visual examination. The passage of time, changing perceptions of significance, or incomplete prior evaluations may result in the need to reevaluate properties previously determined eligible or ineligible.
- We prefer that evaluation data be recorded on the appropriate DPR 523 or National Register forms. Identify the characteristics that qualify a property for inclusion in the NRHP and evaluate the property's integrity. The statement of significance should provide a clear basis for the recommended eligibility determination and include the period of significance, historic context, and applicable NRHP criteria.
- **Archaeological Site Evaluations using National Register Criteria** - Archaeological sites located within the APE should be evaluated for eligibility for the NRHP. Sites which previously have been listed or determined eligible for listing may warrant re-evaluation.

NOTE: SHPO recommends that applicants make every effort to avoid prospective impacts to **all** archaeological sites, either by redesigning their undertakings to achieve such avoidance or by locating the undertaking in an area that is not archaeologically sensitive. If avoidance is not a suitable option, applicants should initiate consultation with the SHPO **before** initiating any archaeological testing or surface collection.

- **Professional Qualifications** – Provide resumes for individuals evaluating properties.

NOTE: Because the identification of historic properties often requires specialized knowledge and professional qualifications, individuals evaluating archeological sites should meet the Secretary of Interior's *Professional Qualification Standards for Archeology*. Individuals evaluating buildings, structures, objects, districts, and cultural landscapes should meet the Secretary's *Professional Qualification Standards for History, Architectural History, or Historic*

Architecture, outlined at 36 CFR Part 61. For further information, see <http://www2.cr.nps.gov/laws/ProfQual83.htm>.

VIII. RECOMMENDED DETERMINATION(S) OF NATIONAL REGISTER ELIGIBILITY [Sec. 800.4(c)(2)] – Check the box/boxes that represent the National Register eligibility findings you are recommending for properties within the APE that have been evaluated for National Register eligibility pursuant to Section VII of these instructions.

IX. RECOMMENDED FINDINGS OF EFFECT [Sec. 800.4(d)] – Check the box with the effect finding that is appropriate for the undertaking.

NOTE: When Applicant determines that an adverse effect to historic properties will result from a proposed undertaking, it is incumbent upon the applicant to develop and evaluate alternatives or modifications to the undertaking that will avoid, minimize, or mitigate adverse effects on historic properties. The resolution of adverse effects will require an extended consultation with SHPO resulting in a period for review that may extend well beyond the time periods indicated above.

APPLICANT CERTIFICATION – Review previous steps to ensure that all information and documents as requested are included. This will facilitate review and reduce delays that result from failure to provide adequate documentation. Sign and date in designated area.

STATE HISTORIC PRESERVATION OFFICER COMMENT

If additional information is needed to complete the review, or if the SHPO objects to or disagrees with either the recommended eligibility determination or finding of effect, the consultation will be continued. This may require additional review time. Subsequent correspondence regarding this proposed undertaking should be directed to the staff reviewer identified on the attachment.

When review of an undertaking is complete and the SHPO has concurred with the recommended eligibility determinations and findings of effect, a copy of the Request Form bearing the SHPO's signature will be returned to the applicant. When signed by the SHPO and concurrence is indicated, the Request Form will serve as evidence of the FCC's satisfactory compliance with Section 106 for the specified undertaking.